

G. FELICITY HUFFMAN

152. Defendant FELICITY HUFFMAN is a resident of Los Angeles, California. HUFFMAN, who has two daughters, is an actress.

153. As set forth below, HUFFMAN and her spouse made a purported charitable contribution of \$15,000 to KWF to participate in the college entrance exam cheating scheme on behalf of her oldest daughter. HUFFMAN later made arrangements to pursue the scheme a second time, for her younger daughter, before deciding not to do so.

154. CW-1 has advised law enforcement agents that, prior to the December 2017 SAT, CW-1 met with HUFFMAN and her spouse in their Los Angeles home and explained, in substance, how the college entrance exam scheme worked. According to CW-1, he advised HUFFMAN and her spouse that he “controlled” a testing center, and could arrange for a third party to purport to proctor their daughter’s SAT and secretly correct her answers afterwards. CW-1 has advised investigators that HUFFMAN and her spouse agreed to the plan.

155. In or about the summer of 2017, HUFFMAN and CW-1 exchanged multiple e-mails about how to obtain 100 percent extra time on the SAT for her daughters.

156. On or about October 16, 2017, HUFFMAN’s older daughter received a letter from the College Board advising that she had been approved for 100 percent extended time. HUFFMAN forwarded the e-mail to CW-1 and a counselor at HUFFMAN’s daughter’s high school with the note, “Hurray! She got it.”

157. The high school counselor wrote back to HUFFMAN the next day, stating, “Now you will register [your daughter] for the December 3rd SAT ... Collegeboard considers double time a school based exam, so [our high school] is the test center. I will proctor test on Dec 4th & 5th and that’s the process in nutshell.” HUFFMAN forwarded the e-mail to CW-1 with the note,

“Ruh Ro! Looks like [my daughter’s high school] wants to provide own proctor.” CW-1 responded, “We will speak about it.”

158. In subsequent e-mails, CW-1 and HUFFMAN agreed to tell the high school counselor that HUFFMAN’s daughter would take the SAT at a different location on December 2nd and 3rd—a Saturday and Sunday—so that she would not miss any school.

159. In or about late October 2017, Dvorskiy completed paperwork to move HUFFMAN’s daughter’s exam from her own high school to the West Hollywood Test Center. ETS records reflect that, in calls to ETS, HUFFMAN and the high school counselor confirmed that the location for HUFFMAN’s daughter’s SAT had been switched to the West Hollywood Test Center.

160. On or about December 1, 2017, CW-2 flew from Tampa to Los Angeles. CW-2 has advised investigators that each time he was in Los Angeles to proctor an SAT or ACT, he facilitated cheating, either by correcting the student’s answers after the test or by actively assisting the student during the exam.

161. On or about December 2, 2017, CW-2 purported to proctor HUFFMAN’s daughter’s SAT exam at the West Hollywood Test Center. On or about December 3, 2017, CW-2 returned to Tampa.

162. Ultimately, HUFFMAN’s daughter received a score of 1420 on the SAT, an improvement of approximately 400 points over her PSAT, taken without CW-2 one year earlier. On or about December 19, 2017, KWF paid Dvorskiy \$40,000 for administering the SAT to HUFFMAN’s daughter and three other students. On or about December 27, 2017, KWF paid CW-2 \$35,000 for purporting to proctor the exam for HUFFMAN’s daughter and exams for several other clients of CW-1.

163. On or about February 27, 2018, HUFFMAN and her spouse made a purported contribution of \$15,000 to KWF. On or about March 21, 2018, Masera sent them a letter thanking them for the purported donation and falsely stating that it would “allow us to move forward with our plans to provide educational and self-enrichment programs to disadvantaged youth.” The letter falsely stated that “no goods or services were exchanged” for the \$15,000.

164. In a telephone call with CW-1 on or about October 23, 2018, HUFFMAN discussed repeating the SAT cheating scheme for her younger daughter. The call, which was consensually recorded, is excerpted below.

CW-1 Okay. Great. So I also just wanted to let you know that the-- the guy who took the test for [your older daughter], [CW-2]--

HUFFMAN Yeah.

CW-1 --he just had a baby.

HUFFMAN Aw.

CW-1 So if-- so I need to give him at least three weeks’ notice, if you want to take the tes-- want us to take the test for [your younger daughter] in December.

HUFFMAN Okay. So that takes us to like November-something. Okay. I won’t-- I won’t know until she takes that-- the practice test, of when we should take it. I mean, unless you want to play it safe and do it in March.

CW-1 The next test date would be February. So let’s try to plan for December.

165. In a call with CW-1 on or about November 12, 2018, HUFFMAN confirmed that she wanted to proceed with the cheating scheme, but probably only after her daughter first took the exam on her own, without cheating. CW-1 has advised law enforcement agents that, in such instances—when parents had their children first take the exams by themselves, to see how they scored without cheating—CW-1 would typically direct CW-2 to ensure that their second score did not increase by more than 30 percent from the first “baseline” score, in order to avoid any

suspicion of cheating. Excerpts from the call, which was consensually recorded, are set forth below.

CW-1 Okay, great. Okay. So then, the question I have for you, because [what] I'm not sure is, I know she's-- she's preparing with [a tutor]. Is she--

HUFFMAN Uh-huh.

CW-1 --going to make that with her extended time at her school or are we going to do like what we--with [your older daughter], where [CW-2] --

HUFFMAN We're going to do like we did with [my older daughter].

CW-1 Okay. So [CW-2] will take it with her and for her at Igor's place at [the West Hollywood Test Center]. So--

HUFFMAN Yes.

CW-1 Because I'll need to do the paperwork for that. And you're okay with that?

HUFFMAN Yeah, totally.

CW-1 Okay, okay. All right. So then when we get closer to that point, or over-- maybe I'll have it done over the next week or so--

HUFFMAN Yeah.

CW-1 --[inaudible] the paperwork set up to move that forward.

HUFFMAN Okay. Now, my only thing, [CW-1], is-- sorry it's loud in here. I'm outside. But is that I'm pretty sure-- we are doing it the same way as [with my older daughter]? I'm pretty sure with [my younger daughter] that she's going to want to take it twice no matter what.

CW-1 Okay.

....

HUFFMAN So do we do it twice then?

CW-1 The-- well, that's-- that's a good -- well, how about-- let's do this. Why don't we-- why don't we work to get a first score, and then we already have a baseline? Because what happens is, if she takes it and doesn't do well the first time --

HUFFMAN Yeah.

CW-1 --then we can only go up a certain amount the second time.

HUFFMAN Yeah. No, I totally figured that. I just know that no matter what, she's so academically driven--

CW-1 Okay.

HUFFMAN --that no matter what happens, even if we go, "This is a great score," that she'll go, "I really want to take it again."

CW-1 Okay.

HUFFMAN I just wanted to give you a heads-up, so I just thought then she'll just take it twice in that-- in the-- you know, in [the West Hollywood Test Center] or whatever that place was.

CW-1 Okay, go-- gotcha. Okay. All right. So--

HUFFMAN All right.

CW-1 So I'm going to-- I'll talk to Igor and [CW-2], confirm that we can get a March-- the March test date on that Saturday.

HUFFMAN Great.

....

CW-1 I just need you-- yeah. I just need to get Igor confirmed that--

HUFFMAN Mm-hmm.

CW-1 --that we can use his site.

HUFFMAN Okay.

CW-1 And I need to get [CW-2] confirmed that he can fly in and take the test with and for [your younger daughter] so that I can make sure that they're available.

HUFFMAN Okay, that sounds great.

166. On or about December 12, 2018, HUFFMAN and her spouse spoke with CW-1 again to finalize plans for their younger daughter's exam. During the call, CW-1 confirmed that

the price to participate in the cheating scheme would be \$15,000, and discussed with HUFFMAN and her spouse whether they thought their daughter would actually take the exam over two days, in order to achieve as high a score as possible before CW-2 corrected her answers. Excerpts from the call, which was consensually recorded, are set forth below.

CW-1 Yeah. So I guess the question for both of you guys are-- is, are we going to do this similarly that we did with [your older daughter] where the [younger daughter] will take the test at [the West Hollywood Test Center] --

SPOUSE Yeah, I think [inaudible].

CW-1 I'm sorry.

SPOUSE Yes, I think we are [inaudible].

CW-1 Okay. Same exact. Same exact so she'll take the test [at the West Hollywood Test Center]. [CW-2] will be the proctor. We will ensure that sh-- we get a score that will be in the 14s or-- or, or higher because we want to achieve the schools we want to get to, correct?

SPOUSE --we're talking about Georgetown, places like--

CW-1 Yeah. So we'll need to b-- we'll need to be mid 14s to 1500 to be-- to be solid. That's out of 1600. So that means that sh-- she'll score in the 700s in each category.

....

CW-1 Okay, and then, so then are we-- so again the last time we did this. Just so I can make sure the financial part is all squared away that then we'll-- we will send you an invoice for \$15,000 and we'll-- and that'll be all taken care of. Are we all okay with the financial side and the actual operational side of it?

SPOUSE --cool.

CW-1 Okay. That's what I wanted-- that's what I wanted to know, Okay, so what I'll do is we will start the paperwork of getting everything accomplished in February so that the test can be sent to [the West Hollywood Test Center]. And, and then Felicity, my guess is you'll have [a] conversation, the school, may have [a] conversation with you and you'll just say, "You know, essentially what we're going to do is [my

older daughter] took the-- the exam here, we don't want to miss any school, we're going to take it over the weekend, and we're-- we're very comfortable with this process because we've already done it once before and it worked out really well."

SPOUSE: That's [inaudible].

HUFFMAN: Okay.

....

SPOUSE Do we want two days?

HUFFMAN Better for her to take it over two days? I think it is.

CW-1 Well, at this point, Felicity, it doesn't really matter because we're going to get a s-- a score--

SPOUSE --I -- I understand that.

CW-1 But it's up to you how you want to do this in-- in her head.

SPOUSE She'll score higher. Just her base score will be higher if we did it over two days.

167. On or about February 13, 2019, HUFFMAN spoke with CW-1 again about the plan for her daughter to take the exam first on her own, and the second time as part of the cheating scheme. During the call, HUFFMAN expressed concern, in substance, about whether a dramatic increase in her daughter's scores would cause her SAT tutor to suspect cheating. Excerpts from the call, which was consensually recorded, are set forth below.

HUFFMAN Hey, thank you so much for calling. [My spouse] gave me the update that she'll take the test March --

CW-1 Ninth.

HUFFMAN --Ninth, at [her high school] and then we will plan it again for May--

CW-1 May. 'Cause she said she wanted to take it twi- a couple of times anyways.

HUFFMAN Yup.

CW-1 So the goal-- because we gotta get, based on the schools that she thinks she wants to go to, we're gonna have to get her a 1400-plus.

HUFFMAN Yes.

CW-1 So I don't know what she will get the first time on her own, hopefully she kicks ass and, you know, it's a moot point, but that's what we're gonna need to do.

HUFFMAN Okay. And what do I need to do to facilitate that switch?

CW-1 So we'll do the paperwork for that in mid-April, or beginning of April--

HUFFMAN Okay.

....

HUFFMAN And, you know, [the tutor] gave her that practice test, and as I said to you, you know, she came in at around 1200 and she said, "But I think, you know, we can bring that--"

CW-1 We can go 14--

HUFFMAN --yeah, we can bring that up." But I just didn't know if it'd be odd for [the tutor] if we go, "Oh, she did this in-- in March 9th, but she did so much better in May." I don't know if that'd be like-- if [the tutor] would be like "Wow."

CW-1 --[the tutor] is just doing her job so I don't think she gets well-engaged in that kind of world.

HUFFMAN Okay.

CW-1 So I wouldn't worry about that.

168. Ultimately, HUFFMAN and her spouse decided not to pursue the SAT cheating scheme for their younger daughter.

H. MAJORIE KLAPPER

169. Defendant MARJORIE KLAPPER is a resident of Menlo Park, California. KLAPPER co-owns a jewelry business.